IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.500 of 1990
with
Civil Appln.No.788 of 2004.

Vasantrao Rajaram Dalvi and ors. ..Petitioners

vs.

Special Land Acquisition Officer
No.12,Kolhapur and ors. ..Respondents.

Shri A.V.Sakhare with Shri Siddarth Karpe for petitioners.
Shri V.S.Gokhale for respondents.

CORAM: A.P.SHAH &
Dr.D.Y.CHANDRACHUD JJ.
16th June, 2005

P.C.

1. Heard the learned Counsel appearing for the parties.

2. The only question that falls for consideration is whether the acquisition proceedings lapsed in view of section 11A of the Land Acquisition Act. The relevant dates are as follows. Notification under section 4 was issued on 28th January,1982. Thereafter notice under sec.4(1) was issued on 11th March, 1985. After holding an enquiry under sec.5A the notification under sec.6 came to be published on 30th September, 1986. Notice under sections 9(3) (4) was issued on 28th April, 1987. By notice dated 2nd January, 1990 under sec.12(2) the SLAO informed the petitioner that he has declared the award on 2nd January, 1990. The award was declared

nerely 4 years after the publication of section 6 notification and as the award was not issued within two years the acquisition proceedings clearly lapsed. In the circumstances, the land acquisition proceedings as well as the award dated 2nd January, 1990 are quashed and set aside qua the petitioners.

3. Rule is made absolute accordingly.

4. In view of the above order civil application does not survive and is hence dismissed.